

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RAUL I. CALDERON,	)	
	)	
Plaintiff,	)	4:06CV3278
	)	
V.	)	
	)	
UNKNOWN,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the court on its own motion. On June 6, 2007, the court entered an Order (filing no. 10) giving the plaintiff until July 6, 2007 to withdraw his motion to dismiss. The Plaintiff was notified that if he failed to withdraw his voluntary dismissal that this case would be dismissed without prejudice and without further notice.

As of this date, Plaintiff has taken no action. Accordingly, pursuant to the terms of the court's prior order (filing no. 10), the court finds that Plaintiff's claims against Defendant should be dismissed without prejudice.

IT IS ORDERED:

1. This case is dismissed without prejudice; and
2. Judgment shall be entered by separate document.

August 28, 2007.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge